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VIA EMAIL & ECF FILING

United States Magistrate Judge Edward S. Kiel
Frank R. Lautenberg U.S. Post Office & Courthouse Building
2 Federal Square
Newark, NJ 07102

Re: John Doe v. Baila Sebow
United States District Court, District of New Jersey
Case No.: 2:21-cv-20706

Dear Magistrate Judge Kiel,

As Magistrate Judge Kiel is aware, my Law Office represents the Defendant in this matter, Ms. Betty Sebow.

It was my intention to have a Motion before the Court in advance of today's conference, which addresses a number of issues that will surely be central to today's conference.

In light of information that has been consistently emerging in the Essex County matter, which is intimately related to the central issues in this Federal matter, I would like to respectfully request the indulgence of the Court. I have been in the process of preparing a Motion in support of my prior objections, but delayed its submission in light of testimony that has been given in the Essex County matter which is intricately material to my Motion. This evidence includes testimony from the party that actually made the defamatory postings on the internet against the Plaintiff. The witness has testified that he made the postings, and the person that solicited him to make the postings was not my client. Furthermore, he testified that he did not even know who my client was until he was sued by the Plaintiff in another action in the Supreme Court of New York in Nassau County on these same facts and circumstances.

That testimony of that witness was taken out of turn, and Cross examination of the Plaintiff is not complete and is still ongoing. I was hoping to have made significant headway in that process, but two unexpected adjournments have set back the testimony well over a month. We are due to resume cross-examination on this Tuesday, October 17, 2023, and respectfully request that Your Honor grant me the indulgence of another week to file my Motion, subsequent to the next Court date in Essex County.

The Magistrate Judge's kind indulgence would be greatly appreciated.

Sincerely,

Ira W. Heller, Esq.

cc: Daniel Szelkiewicz, Esq.
Attorney for Plaintiff